IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6370 of 2005

Between:

Sunku Sreeramulu, s/o late Ashwarthamaiah Setty,
Trader, Proprietor of Sri Venkateswara Jewellers,

r/o Door No.1-93, Potto Sreeramulu Street (Main Road),
Nandyal Town, Kurnool District, Andhra Pradesh, India.

..... PETITIONER

AND

1 The Sub-Divisional Police Officer, Nandyal, Kurnool District, A.P.India.
2 The Inspector of Police, Nandyal I Town Police Station, Nandyal, Kurnool

District, AP India.
3 The Sub-Inspector of Police, Nandyal I Town Police Station, Nandyal,

Kurnool District, A.P.India.
4 Narayana Subba Rao, s/o Bala Subbaiah,
r/o D.NO.4-522, Municipal High School Road, Nandyal Town, Kurnool

District, Andhra Pradesh, India.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondent police in interfering with the civil disputes between the petitioner and the 4th respondent, otherwise than by the due process of law as illegal, arbitrary, and unconstitutional being violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondent police not to interfere with the day to day business of the petitioner and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.C.PRAKASH REDDY
Counsel for the Respondents1 to 3: G.P. FOR HOME

The Court at the stage of admission made the following

ORAL ORDER:

Heard both sides.

2. The grievance of the petitioner is that at the instance of the fourth respondent, the respondents 2 and 3 have been interfering with the business of the petitioner.

3. It is the contention of the learned counsel for the petitioner that there is some civil dispute between the petitioner and the fourth respondent, which is pending on the file of the Principal Junior Civil Judge, Nandyal, in O.S.No.732 of 2004.

4. It appears that temporary injunction has also been obtained by the petitioner. In such a case, the respondents 2 and 3 shall not interfere with the civil dispute, particularly with the dispute that is pending before the said Court. Only in the event of filing the complaint being lodged by either of the party, the respondents 2 and 3 can investigate into the matter and take appropriate action, in accordance with law.

5. With the above observation and direction, the writ petition is disposed of, at the stage of admission. No costs.

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D.S.R. VARMA, J

25TH MARCH 2005

ISN

ASSISTANT REGISTRAR

To

1 The Sub-Divisional Police Officer, Nandyal, Kurnool District, A.P.India.
2 The Inspector of Police, Nandyal I Town Police Station, Nandyal, Kurnool

District, AP India.
3 The Sub-Inspector of Police, Nandyal I Town Police Station, Nandyal,

Kurnool District, A.P.India.
4. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

5. Two CD copies

6. One CC to MR.PRAKASH REDDY, learned counsel for the petitioner.